



IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Michael A. Apicella et al. Art Unit : 1642
Serial No. : 10/665,990 Examiner : Unknown
Filed : September 19, 2003
Title : VACCINE AND COMPOSITIONS FOR THE PREVENTION AND
TREATMENT OF NEISSERIAL INFECTIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

The following documents relating to this application are enclosed.

1. Request for Corrected Official Filing Receipt (2 pages);
2. Marked-up copy of the Filing Receipt (2 pages);
3. Copy of the previously filed Combined Declaration and Power of Attorney (2 pages);
4. Statement Re Power of Attorney (1 page); and
5. Postcard.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 25 October 2004

Ann S. Viksnins
Ann S. Viksnins
Reg. No. 37,748

Fish & Richardson P.C., P.A.
60 South Sixth Street
Suite 3300
Minneapolis, MN 55402
Telephone: (612) 335-5070
Facsimile: (612) 288-9696
60253473.doc

CERTIFICATE OF MAILING BY FIRST CLASS MAIL
I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

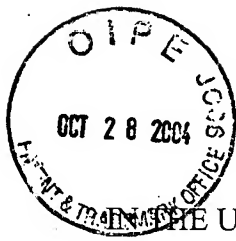
October 25, 2004

Date of Deposit

Signature

Jill Huso

Typed or Printed Name of Person Signing Certificate



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Michael A. Apicella et al. Art Unit : 1642
Serial No. : 10/665,990 Examiner : Unknown
Filed : September 19, 2003
Title : VACCINE AND COMPOSITIONS FOR THE PREVENTION AND
TREATMENT OF NEISSERIAL INFECTIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT

Please correct the Filing Receipt for the above-referenced application to show the Power of Attorney as follows:

Ann S. Viksnins, Reg. No. 37,748; Mark S. Ellinger, Ph.D., Reg. No. 34,812; Dorothy P. Whelan, Reg. No. 33,814; Reg. No. 28,488; Richard J. Anderson, Reg. No. 36,732; H. Sanders Gwin, Jr., Reg. No. 33,242; Stephen R. Schaefer, Reg. No. 37,927; Ronald C. Lundquist, Ph.D., Reg. No. 37,875; John A. Dragseth, Reg. No. 42,497; J. Patrick Finn III, Ph.D., Reg. No. 44,109; M. Angela Parsons, Ph.D., Reg. No. 44,282; Monica McCormick Graham, Ph.D., Reg. No. 42,600; J. Richard Soderberg, Reg. No. 43,352; Chad A. Hanson, Ph.D., Reg. No. 44,737; Greg H. Gardella, Reg. No. 46,045; Teresa A. Lavoie, Ph.D., Reg. No. 42,782; Elizabeth N. Kaytor, Ph.D., Reg. No. 53,103, all of FISH & RICHARDSON P.C., P.A., 60 South Sixth Street, Suite 3300, Minneapolis, MN 55402.

A copy of the Combined Declaration and Power of Attorney that was filed with the Response to Notice to File Missing Parts on May 5, 2004 is enclosed. The Combined Declaration and Power of Attorney was filed prior to the rule limit of ten practitioners on a Power of Attorney. Further, enclosed is a State Re Power of Attorney. Please supply a corrected Filing Receipt to the undersigned with respect to this application. A copy of the original Filing Receipt showing the desired changes in red ink is attached for your convenience.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

October 25, 2004

Date of Deposit

Signature

Jill Huso

Typed or Printed Name of Person Signing Certificate

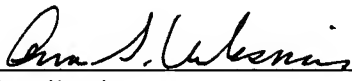
Applicant : Michael A. Apicella et al.
Serial No. : 10/665,990
Filed : September 19, 2003
Page : 2 of 2

Attorney's Docket No.: 17023-031001 / 01025

No fee is believed to be due. If, however, there are any charges or credits, please apply them to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 25 October 2004


Ann S. Viksnins
Reg. No. 37,748

Fish & Richardson P.C., P.A.
60 South Sixth Street
Suite 3300
Minneapolis, MN 55402
Telephone: (612) 335-5070
Facsimile: (612) 288-9696

60253463.doc



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Michael A. Apicella et al. Art Unit : 1642
Serial No. : 10/665,990 Examiner : Unknown
Filed : September 19, 2003
Title : VACCINE AND COMPOSITIONS FOR THE PREVENTION AND
TREATMENT OF NEISSERIAL INFECTIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT RE POWER OF ATTORNEY

Under 37 CFR 1.32(c)(3), please associate the following Patent Practitioners as attorney of record in the above-identified application.

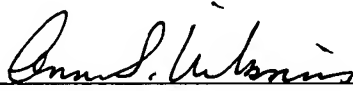
Ann S. Viksnins, Reg. No. 37,748	Mark S. Ellinger, Ph.D., Reg. No. 34,812
M. Angela Parsons, Ph.D., Reg. No. 44,282	Teresa A. Lavoie, Ph.D., Reg. No. 42,782
Elizabeth N. Kaytor, Ph.D., Reg. No. 53,103	Dorothy P. Whelan, Reg. No. 33,814
Richard J. Anderson, Reg. No. 36,732	Ronald C. Lundquist, Ph.D., Reg. No. 37,875
Monica McCormick Graham, Ph.D., Reg. No. 42,600	H. Sanders Gwin, Jr., Reg. No. 33,242

A copy of the Power of Attorney filed in the parent of the above-identified application is attached.

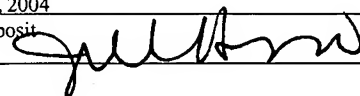
Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 25 October 2004


Ann S. Viksnins
Reg. No. 37,748

Fish & Richardson P.C., P.A.
60 South Sixth Street
Suite 3300
Minneapolis, MN 55402
Telephone: (612) 335-5070
Facsimile: (612) 288-9696
60253465.doc

CERTIFICATE OF MAILING BY FIRST CLASS MAIL
I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
October 25, 2004
Date of Deposit

Signature
Jill Huso
Typed or Printed Name of Person Signing Certificate

BEST AVAILABLE COPY

Page 1 of 2

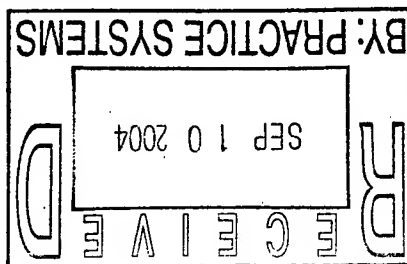


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/665,990	09/19/2003	1642	658	17023-031001 / 01025	23	24	7

26191
 FISH & RICHARDSON P.C.
 3300 DAIN RAUSCHER PLAZA
 60 SOUTH SIXTH STREET
 MINNEAPOLIS, MN 55402



CONFIRMATION NO. 5383

UPDATED FILING RECEIPT



OC000000013737816

Date Mailed: 09/07/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Michael A. Apicella, Solon, IA;
 Jennifer L. Edwards, Iowa City, IA;

Power of Attorney:

Ann S. Vixsning, Reg. No. 37,748
 James Anglin-24916

Charles Steffey-25470
 M. Angela Parsons, Reg. No. 44,252

Walter Nielsen-25539
 Elizabeth N. Kayser, Reg. No. 53,103

Michael Schwegman-25846
 Edwin Gale-28584
 Monica McCormick Graham, Reg. No. 42,600

Richard J. Anderson, Reg. No. 36,732

Mark S. Ellinger, Reg. No. 34,812
 Atbin Nelson-28650

Warren D. Woessner-30440

Teresa A. LaVoie, Reg. No. 42,782
 Steven Lundberg-30568

Dorothy P. Whelan, Reg. No. 33,814
 Bradley A. Forrest-30837

Ronald C. Lundquist, Reg. No. 37,815
 Daniel Kluth-32146

H. Sanders Gwin, Reg. No. 33,242

Domestic Priority data as claimed by applicant

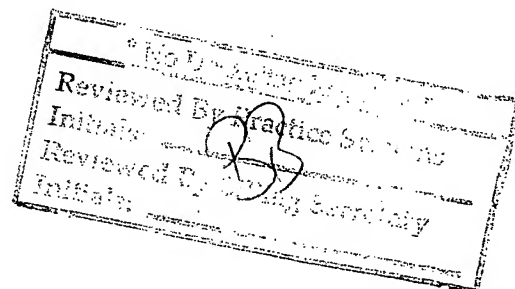
This application is a CIP of 10/621,184 07/15/2003
 which is a CIP of 10/066,551 01/31/2002
 which claims benefit of 60/266,070 01/31/2001
 and claims benefit of 60/310,356 08/06/2001
 and claims benefit of 60/344,452 10/23/2001

Foreign Applications

If Required, Foreign Filing License Granted: 12/16/2003

The number of your priority application, to be used for filing abroad under the Paris Convention is,

Copied from 60665990 on 11/08/2004



US10/665,990

Projected Publication Date: 12/16/2004

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

Vaccine and compositions for the prevention and treatment of neisserial infections

Preliminary Class

424

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled VACCINE AND COMPOSITIONS FOR THE PREVENTION AND - TREATMENT OF NEISSERIAL INFECTIONS, the specification of which:

- ☐ is attached hereto.
☒ was filed on September 19, 2003 as Application Serial No. 10/665,990 and was amended on _____
☐ was described and claimed in PCT International Application No. _____ filed on _____ and as amended under PCT Article 19 on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code, §119(e)(1) of any United States provisional application(s) listed below:

U.S. Serial No.	Filing Date	Status
60/266,070	01/31/2001	Expired
60/310,356	08/06/2001	Expired
60/344,452	10/23/2001	Expired

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Serial No.	Filing Date	Status
10/621,184	07/15/2003	Pending
10/066,551	01/31/2002	Pending

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Country	Application No.	Filing Date	Priority Claimed
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

Combined Declaration and Power of Attorney
Page 2 of 2 Pages

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Ann S. Viksnins, Reg. No. 37,748; Mark S. Ellinger, Ph.D., Reg. No. 34,812; Dorothy P. Whelan, Reg. No. 33,814; Reg. No. 28,488; Richard J. Anderson, Reg. No. 36,732; H. Sanders Gwin, Jr., Reg. No. 33,242; Stephen R. Schaefer, Reg. No. 37,927; Ronald C. Lundquist, Ph.D., Reg. No. 37,875; John A. Dragseth, Reg. No. 42,497; J. Patrick Finn III, Ph.D., Reg. No. 44,109; M. Angela Parsons, Ph.D., Reg. No. 44,282; Monica McCormick Graham, Ph.D., Reg. No. 42,600; J. Richard Soderberg, Reg. No. 43,352; Chad A. Hanson, Ph.D., Reg. No. 44,737; Greg H. Gardella, Reg. No. 46,045; Teresa A. Lavoie, Ph.D., Reg. No. 42,782; Elizabeth N. Kaytor, Ph.D., Reg. No. 53,103, all of FISH & RICHARDSON P.C., P.A., 60 South Sixth Street, Suite 3300, Minneapolis, MN 55402.

Direct all telephone calls to ANN S. VIKSNINS at telephone number (612) 335-5070.

Direct all correspondence to the following:

PTO Customer Number 26191

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full Name of Inventor: MICHAEL A. APICELLA

Inventor's Signature: Michael A. Picella

Date: 4/16/04

Residence Address: Solon, IA

Citizenship: United States

Post Office Address: 2646 Johnsons Crossing, N.E.
Solon, IA 52333

Full Name of Inventor: JENNIFER L. EDWARDS

Inventor's Signature: Jennifer L. Edwards

Date: 4/16/04

Residence Address: Iowa City, Iowa

Citizenship: United States

Post Office Address: 590 Foster Road, #B4
Iowa City, Iowa 52242

60196403.doc